



DEPARTMENT OF PUBLIC SAFETY  
AND CORRECTIONAL SERVICES

Report on Restrictive Housing – Fiscal Year 2022

Fulfilling Reporting Requirements Correctional Services Article,  
§ 9-614, Annotated Code of Maryland

December 2022

Governor Lawrence J. Hogan  
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## Executive Summary

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- In FY 2022, the Department increased its usage of restrictive housing by 39% overall. This was driven by an increase in disciplinary segregation placements.
- In FY 2022, 25.8% of incarcerated individuals were impacted by restrictive housing at some point in the past year, 7.5% more than in the prior year. This figure is contributed to by both the increase in placements and the continued concentration of the sentenced population. The overall sentenced population is continuing to shrink at an accelerated rate, and decreased by 14% from the prior year. In actuality, this represents 690 more individuals impacted than the year prior.
- The Department's use of disciplinary segregation has risen by 54.5% in FY 2022, and the placement length has continued to fall by 2.4 days. The Department has reduced the average length of disciplinary segregation placements by 51% in five years, resulting in 37 fewer days spent in disciplinary housing on average.
- In FY 2022, the average length of placements on any form of restrictive housing was 42.5 days, with a median of 30 days. This is 6.7 days shorter overall than the prior year. This return to progress was driven by reductions in average administrative segregation placements which fell by 10.4 days closer to their historical pre-COVID norms. **This is meaningful, as this subset of restrictive housing placements had previously remained widely disparate from the overall 49 day average.**
- In FY 2022, there was a slight increase (+4) in the number of incarcerated persons released directly from restrictive housing. With one exception, these releases were almost entirely from administrative segregation, a historical trend. The length of these preceding placements decreased sharply in FY 2022, decreasing by 35 days on average. The median placement length of placements that extended until release fell from a FY 2021 peak at 143 days to 39 days in FY 2022.
- A minority of the population with serious mental illness (SMI) was placed on any restrictive housing, with even fewer (28.9%) placed on disciplinary segregation. In FY 2022, there was a 6.9% increase in the number of individuals identified with SMI, as well as more individuals with SMI placed on restrictive housing. Greater available information on the SMI population FY 2022 contributed to this increase.
- While the Department did not see a year over year decrease in overall suicidal gestures or suicide attempts over FY 2021, the rates of overall suicidal gestures have remained lower in FY 21 and 22 than prior years. Compared to the year prior, there were more individuals on restrictive housing with suicidal attempts and gestures. However there was no change in the number of individuals who died by suicide who had been placed on restrictive housing during the fiscal year.

## Introduction

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Chapter 596 of the Acts of the 2016 Maryland General Assembly enacted Senate Bill 946 (SB 946), Correctional Services – Restrictive Housing – Report as Correctional Services Article, §9-614, Annotated Code of Maryland. This statutory requirement directs the Department of Public Safety and Correctional Services (Department) to submit a report containing the preceding year’s restrictive housing data to the Governor’s Office of Crime Prevention, Youth, and Victim Services (GOCPVYS) for publication on the agency’s public website.

Correctional Services Article, § 9-614, Annotated Code of Maryland requires the Department to report the following restrictive housing data elements:

- The total population of the correctional facility;
- The number of incarcerated persons who have been placed in restrictive housing during the preceding year by age, race, gender, classification of housing, and the basis for the incarcerated person’s placement in restrictive housing;
- The Department’s definition of “serious mental illness” and the number of incarcerated persons with serious mental illness that were placed in restrictive housing during the preceding year;
- The number of incarcerated persons known to be pregnant when placed in restrictive housing during the preceding year;
- The average and median lengths of stay in restrictive housing of the incarcerated persons placed in restrictive housing during the preceding year;
- The number of incidents of death, self-harm, and attempts at self-harm by incarcerated persons in restrictive housing during the preceding year;
- The number of incarcerated persons released from restrictive housing directly into the community during the preceding year;
- Any other data the Department considers relevant to the use of restrictive housing by correctional facilities in the State; and
- Any changes to written policies or procedures at each correctional facility relating to the use and conditions of restrictive housing, including steps to reduce reliance on restrictive housing.

This report includes restrictive and specialized housing data for fiscal year (FY) 2022, supplemental data points, and amended historical figures since FY 2018 to allow for historical trend comparison. (See [Appendix A](#)) This report was prepared with the same methodology as the FY 2022 report.

## Overview – Restrictive and Special Housing

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The Department's correctional facilities use four types of restrictive housing.

**Administrative Segregation** means that an incarcerated person is confined to their assigned cell and retains many of the privileges allowed within the general population. Administrative segregation is used when an incarcerated person requires close observation by correctional staff or limited segregation from the general population. Administrative segregation is utilized to ensure the safety and security of the incarcerated person, staff, the general incarcerated person population, and the facility. Administrative segregation pending adjustment hearing is a common use while incarcerated persons await a disciplinary hearing for an infraction.

**Disciplinary Segregation** means that an incarcerated person is removed from the general incarcerated person population and confined to a cell in a restricted housing unit. incarcerated persons assigned to disciplinary segregation have certain privileges restricted in an effort to modify behavior. Disciplinary segregation is used for incarcerated persons found guilty by a hearing officer at an adjustment hearing for violating Departmental rules, institutional rules, or both.

**Maximum II Structured Housing (MIISH)** means a securely controlled four stage step-down program for the Department's most frequently violent and dangerous incarcerated persons who are repeatedly placed on disciplinary segregation. The structured program encourages a reduction in violent behaviors through incentive based programming. As an incarcerated person progresses through the program's stages, privileges are incrementally restored as an incentive for good behavior. The goal of the structured program is to prevent long-term assignment to disciplinary segregation by stabilizing violent incarcerated persons; and when possible, return them to the general population.

**Serious Mental Illness (SMI) Structured Housing** is designed to provide a continuum of care and least restrictive environment consistent with institutional safety and security for those incarcerated persons with a diagnosed Serious Mental Illness (SMI), who might reasonably be expected to gain benefit from a structured program, and who earn repeated disciplinary segregation due to violent and/or dangerous behavior.

The Department uses two types of specialized housing for vulnerable incarcerated persons.

**Protective Custody** is a special housing status for incarcerated persons who require protection for safety reasons, and includes separation from incarcerated persons assigned to general population. Incarcerated persons in protective custody have the same privileges as incarcerated persons in general population.

**Special Needs Unit (SNU)** is a special housing status designed to manage incarcerated persons diagnosed with a serious mental illness in the least restrictive environment possible. The goal of the SNU is to stabilize and provide treatment to SMI incarcerated persons; and when possible, return the incarcerated persons to the general population with aftercare and ongoing support. Special Needs Units are operated as general population tiers with a special designation. These units offer more intensive mental health services.

## DPSCS Population and Use of Restrictive Housing

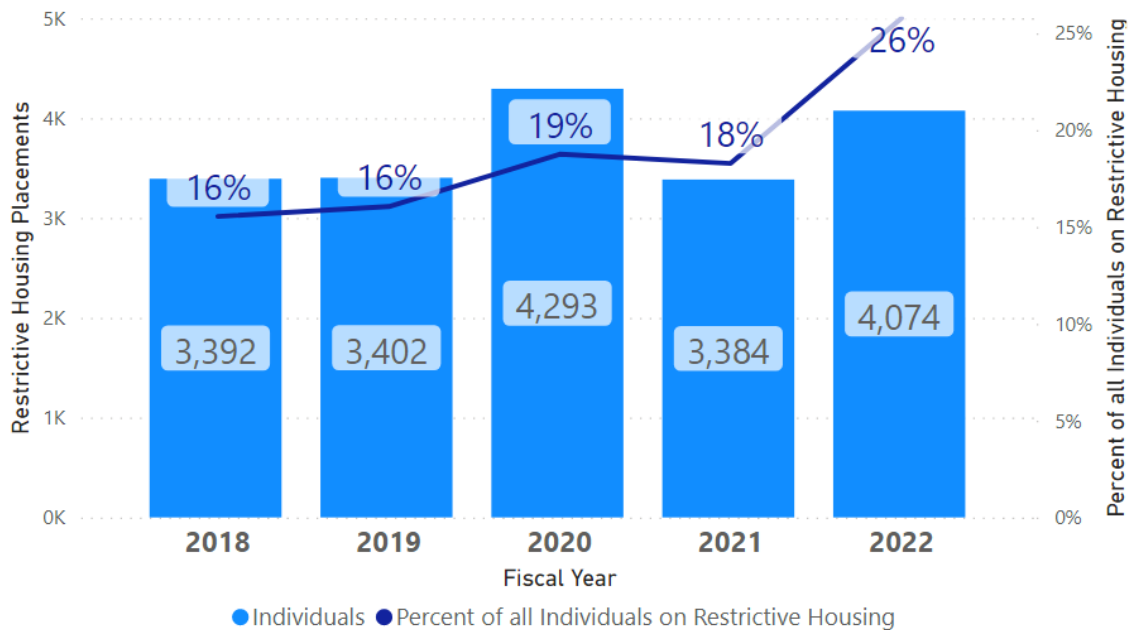
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Over the course of fiscal year (FY) 2022, the Department's Division of Correction housed a total of 15,807 incarcerated persons, 14.6% lower than the year prior.<sup>1</sup> The Department's average daily incarcerated person population (ADP) in fiscal year (FY) 2022 was 15,257, a rate 1.95% lower than in FY 2021. While average daily population trends in FY 2022 did not continue to significantly decrease, as during the prior fiscal year during the pandemic's impact, there was a plateauing of the ADP and continued decrease in overall incarcerated persons. This bottleneck of the correctional population trends towards increases in acuity in the sentenced population. The male incarcerated person ADP for FY 22 was 14,752 and the female incarcerated person ADP for FY 22 was 505. The period in question was still impacted by the COVID-19 pandemic, specifically the omicron wave within communities, as court processes and programming were interrupted. The continued need for quarantine and isolation spaces affected space availability for programming and out of cell activities.

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<sup>1</sup> For the purposes of this report, individuals housed include all possible sentenced incarcerated persons during FY 2022. This is calculated by combining individuals in custody at the end of FY 2020, all sentenced intakes processed within FY 2022, and all returns to custody within FY 2022. In order to maintain consistency in combined reporting, this report does not include individuals in federal detention or pretrial detainees within DPSCS' system.

**Figure 1: incarcerated Persons on Restrictive Housing Since 2018**

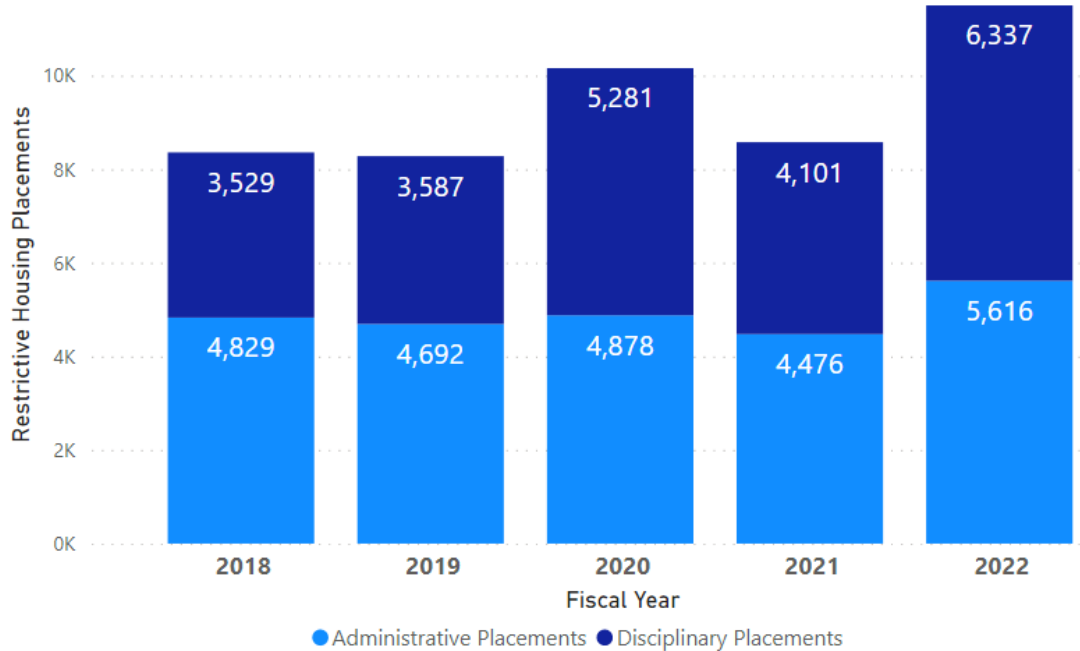


In FY 2022, 3,718 individuals were placed on administrative segregation, and 3,672 individuals were placed on disciplinary segregation. This represents the largest single year increase in the use of restrictive housing since FY 2018. Some of these incarcerated persons were placed on both administrative segregation and disciplinary segregation during the year. When a major rule violation is committed, an incarcerated person is placed on administrative segregation pending adjustment until the hearing. Upon a guilty finding, incarcerated persons are either placed on disciplinary segregation or returned to the general population, creating overlap of individuals between these placements. Taking into account this overlap factor, the Department placed 4,074 individuals on any form of restrictive housing. It is important to note that some incarcerated persons were placed on restrictive housing more than once during the reporting period. In total, the 4,074 individuals placed on any restrictive status represent 26% of the population in Division of Correction custody during FY 2022. This proportion is impacted by the continued shrinking of the overall correctional population, but still represents a 20.4% increase in individuals placed in restrictive housing in the past year, though overall placements remain lower than the first year of the pandemic period (FY 2020).

In FY 2022, there were 11,953 placements on restrictive housing: 5,616 placements (33%) on administrative segregation and 6,337 placements (66%) on disciplinary segregation. Administrative segregation placements increased by 25.5% in FY 2022. As outlined in the overview, administrative segregation does not entail the same restriction of privileges as disciplinary housing, and can serve the purpose of individual or facility safety, as needed or requested. In contrast, there was a 54.5% increase in the usage of disciplinary segregation, a 5 year high. It is important to note that this level of disciplinary segregation usage is nearly one third of what was previously estimated in 2018 before figures were corrected. (See Appendix A). Prior to FY 2022, there was a consistent trend of relatively even usage of administrative and disciplinary segregation. In FY 2022, not everyone placed on

administrative segregation continued onto disciplinary, but repeat placements due to infractions resulted in overall disciplinary placements exceeding the number of administrative segregation placements.

**Figure 2: Placements on Restrictive Housing Since 2018 (Revised)**



### Length of Placements

In FY 2022, in contrast to the increased number of placements, placement length decreased universally. The average length of disciplinary segregation decreased by 7 days from FY 2021, resulting in 42.5 days served per placement. The following chart displays the average and median length of time, in days, for FY 2022 restrictive housing placements:

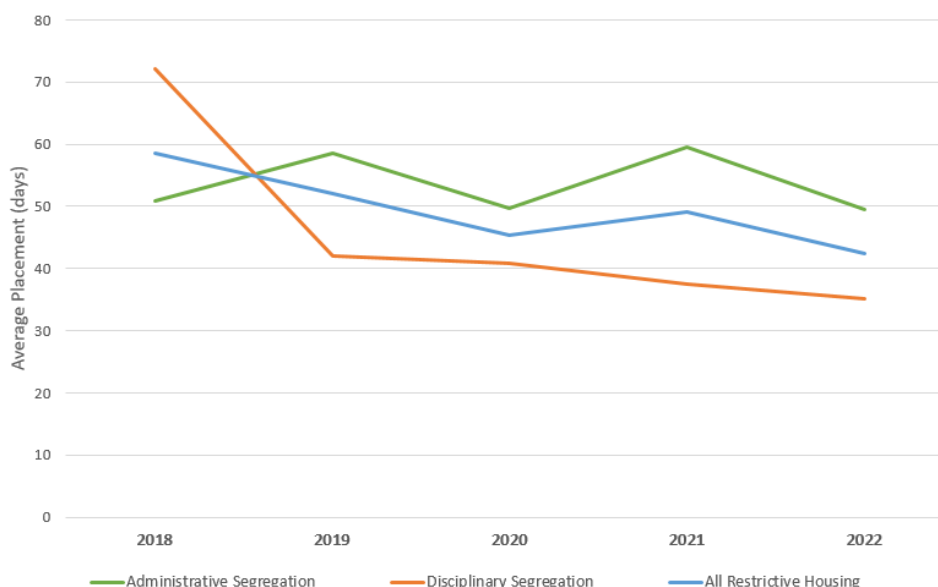
**Table 1: Restrictive Housing Placement Lengths (Days)**

Placement Type	Average	Median	Annual Change	% Change
Restrictive Housing	42.5	30	-6.7	-13.6%
Administrative Segregation	49.2	30	-10.4	-17.4%
Disciplinary Segregation	35.2	30	-2.4	-6.4%

This represents a course correction in the length of administrative segregation placements in FY 2021, which drove the overall increase in FY 2021 placement length, and was an anomaly in post FY 2018 placements. Since COMAR revision in 2018, the average length of administrative segregation placements has remained relatively similar, decreasing by 1.7 days. However, disciplinary segregation lengths have had a continued decrease despite the overall pandemic disruption. Today, disciplinary segregation is 51% lower than 5 years prior, representing 37 fewer days spent on disciplinary segregation on average.



**Figure 3: Placement Length Changes After COMAR Revision**



Administrative segregation placements remain longer than disciplinary placements by 2 weeks on average. Some individuals may be on administrative segregation for security and safety reasons, and incarcerated persons have the opportunity to request placement on administrative segregation. Incarcerated persons may also choose to remain on administrative segregation after administrative segregation review by an interdisciplinary team of facility staff every 30 days. Incarcerated persons in administrative segregation have the same access to video visitation, social work, and mental health treatment as the general population, a key consideration for those released directly from this housing status.

Disciplinary segregation placement length has continued to decrease since the practice of subsequent sanctions was reformed. When an incarcerated person is found guilty of an infraction, their disciplinary segregation effective date is the first day of their administrative segregation pending adjustment. This practice minimizes the period of segregation by applying the time spent under administrative segregation to the sanction length received. Because of this status conversion, not all individuals with disciplinary segregation placements were subject to disciplinary restrictions for the duration of their stated placement time.

## Restrictive Housing Demographics

### Race and Gender Breakdown

The following charts present a summary of the race and age of the total FY 2022 incarcerated person population in comparison to those incarcerated persons placed in restrictive housing. In FY 2022, 96.7% of the average daily population were men and 3.2% were women. These summaries are further broken down by gender.

**Table 4: Men in Restrictive Housing by Race**

<b>Race</b>	<b>% of Total Population<sup>2</sup> n=15,202</b>	<b>% Administrative Segregation n= 1,830</b>	<b>% Disciplinary Segregation n= 2,993</b>
Black	71.17%	69.58%	77.82%
White	22.08%	25.40%	16.29%
Latinx	4.90%	-	-
Other	1.01%	-	-
Native American/Alaskan Native	0.41%	0.36%	0.49%
Asian	0.33%	0.19%	0.26%
Native Hawaiian/Pacific Islander	0.10%	-	0.11%

**Table 5: Women in Restrictive Housing by Race**

<b>Race</b>	<b>% of Total Population<sup>3</sup> n= 602</b>	<b>% Administrative Segregation n= 41</b>	<b>% Disciplinary Segregation n= 140</b>
Black	50.13%	66.15%	70.29%
White	45.11%	33.85%	26.29%
Other	1.72%	-	-
Latinx	1.59%	-	-
Native American/Alaskan Native	1.06%	-	-
Asian	0.40%	-	-

<sup>2</sup> The total men's housed population was 15,202 for FY 2022. Of those, 1,830 were on administrative segregation, and 2,993 were on disciplinary segregation. Three individuals in male facilities did not have male as their stated gender, due to the small and identifiable size of this group, subdivision is not provided.

<sup>3</sup> The total women's housed population was 728 for FY 2022. Of those, 28 were on administrative segregation, and 116 were on disciplinary segregation.

Native Hawaiian/Pacific Islander	-	-	-
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### Age and Gender Breakdown

The following charts present the age category summaries by gender for the total FY 2022 incarcerated person population in comparison to those incarcerated persons placed on restrictive housing. Colors indicate where the highest percentage of the population falls by age: dark red indicates age cohorts with the highest percentage of the population, and dark blue indicates age cohorts in the minority.

**Table 6: Men in Restrictive Housing by Age**

Age Ranges	% of Total Population n=15,202	% Administrative Segregation n=1,830	% Disciplinary Segregation n=2,993
Under 18	0.05%		
18 to 25	11.40%	7.13%	19.18%
26 to 30	15.52%	17.05%	23.27%
31 to 35	18.89%	25.16%	23.84%
36 to 40	14.17%	19.54%	14.48%
41 to 50	19.63%	21.07%	12.59%
51 to 60	12.98%	7.76%	4.95%
Over 60	7.37%	2.30%	1.69%

A majority of the Department's sentenced population is between the ages of 31-50. In FY 2022, placements onto restrictive housing became most common within the 41 to 50-year old cohort. This was a new shift of placements among older populations, driven by increases in administrative placements, while younger cohorts, 26-35 still drive disciplinary placements. In light of decreased sentenced populations, population trends among women skew younger than the trends amongst men, and younger than prior years. Women between the ages of 26-30 are the majority of all placements.

**Table 7: Women in Restrictive Housing by Age**

Age Ranges	% of Total Population n=602	% Administrative Segregation n=41	% Disciplinary Segregation n=140
18 to 25	10.05%	1.54%	15.43%
26 to 30	17.99%	30.77%	31.43%
31 to 35	21.83%	26.15%	23.43%
36 to 40	15.87%	27.69%	16.00%
41 to 50	18.65%	9.23%	12.00%

51 to 60	11.24%	4.62%	1.71%
Over 60	4.37%		

## Restrictive Housing by Facility

Some facilities due to their design and security level, do not house individuals in a restrictive housing setting, or had no incarcerated persons on restrictive housing at the time of measurement, and are not listed below. Facilities with higher security levels house individuals with a higher security classification and higher risk of committing infractions, and tend to have a higher percentage of restrictive housing. The table below represents a point in time snapshot of placements at FY 2022 end, which cannot be replicated in cumulative, year-long reporting. At the date of capture, which falls during seasonal population peaks, the total number of individuals on restrictive housing represented 8.7% of the total sentenced population, compared to the 25.8% cumulative measure for FY 2022. This point in time measure is very similar to the snapshot taken in the prior year.

**Table 8: FY 2022 Year End Sentenced Population by Facility**

Facility	Security Level	EOM Population	Administrative Segregation	Percent Admin	Disciplinary Segregation	Percent Disciplinary
DRCF	Minimum	704	0	0.0%	1	0.1%
ECI-E <sup>4</sup>	Medium	1,186	64	5.4%	4	0.3%
ECI-W	Medium	1,194	4	0.3%	71	6.0%
JCI	Administrative	1,746	55	3.2%	79	4.5%
MCIH	Medium	883	42	4.8%	12	1.4%
MCIJ	Medium	618	34	5.5%	32	5.2%
MCIW	Administrative	478	2	0.4%	33	6.9%

<sup>4</sup> ECI is one facility broken into two separate compounds. For Security purposes ECI-E is used to house ECI Administrative and Admin PC incarcerated persons. ECI-W is used for Disciplinary Segregation. The small number of admins on the west and Disciplinary on the east is due to those awaiting hearings or who have not yet been moved.

MCTC	Minimum	2,038	130	6.4%	62	3.0%
NBCI	Maximum II	1,034	122	11.8%	88	8.5%
PATX	Maximum I	633	29	4.6%	17	2.7%
RCI	Medium	1,491	52	3.5%	49	3.3%
WCI	Maximum I	1,568	100	6.4%	98	6.3%
<b>Total</b>		<b>13,573</b>	<b>634</b>	<b>4.7%</b>	<b>546</b>	<b>4.0%</b>

Source: Offender Case Management System, June 30, 2022 Snapshot

## Specialty Populations

### Incarcerated Persons with Serious Mental Illness

The Department defines Serious Mental Illness (SMI) in accordance with the Code of Maryland Regulations (COMAR) 10.21.17.02 (76). In FY 2022, the Department housed approximately 960 incarcerated persons diagnosed with a SMI. In FY 2022, 370 individuals with SMI (%) were placed on restrictive housing. Of those, 182 were placed on administrative segregation, and 278 were placed on disciplinary segregation. Over the year, 90 incarcerated persons were placed on both. More comprehensive documentation on individuals with SMI was available in FY 2021 and FY 2022, which created larger total groups to match against. This data however only indicates that an individual was diagnosed with an SMI at some point in the FY, and does not measure whether they were placed on restrictive housing before or after being diagnosed.

### Restrictive Housing During Pregnancy

In FY 2022, there were no pregnant women placed on restrictive housing. It is the policy of the Department to never place a pregnant woman on restrictive housing.

### Incarcerated Person Deaths, Self-Harm and Attempted Self-Harm

The following chart displays suicidal gestures, attempts, and deaths occurring in FY 2022 while placed on restrictive housing:

Table 9: Incarcerated Person Deaths and Self Harm

Population	Suicidal Gestures	Attempted Suicides	Suicides	Other Deaths
All Incarcerated Persons	43	36	5	57
All Restrictive Housing	15	10	1	3
Administrative Segregation	6	3	1	3
Disciplinary Segregation	9	7	0	0

Compared to the year prior there were 10 more individuals on restrictive housing with suicidal attempts and 12 more exhibiting suicidal gestures. However there was no change in the number of individuals who died by suicide who had been placed on restrictive housing.

### Direct Releases from Restrictive Housing

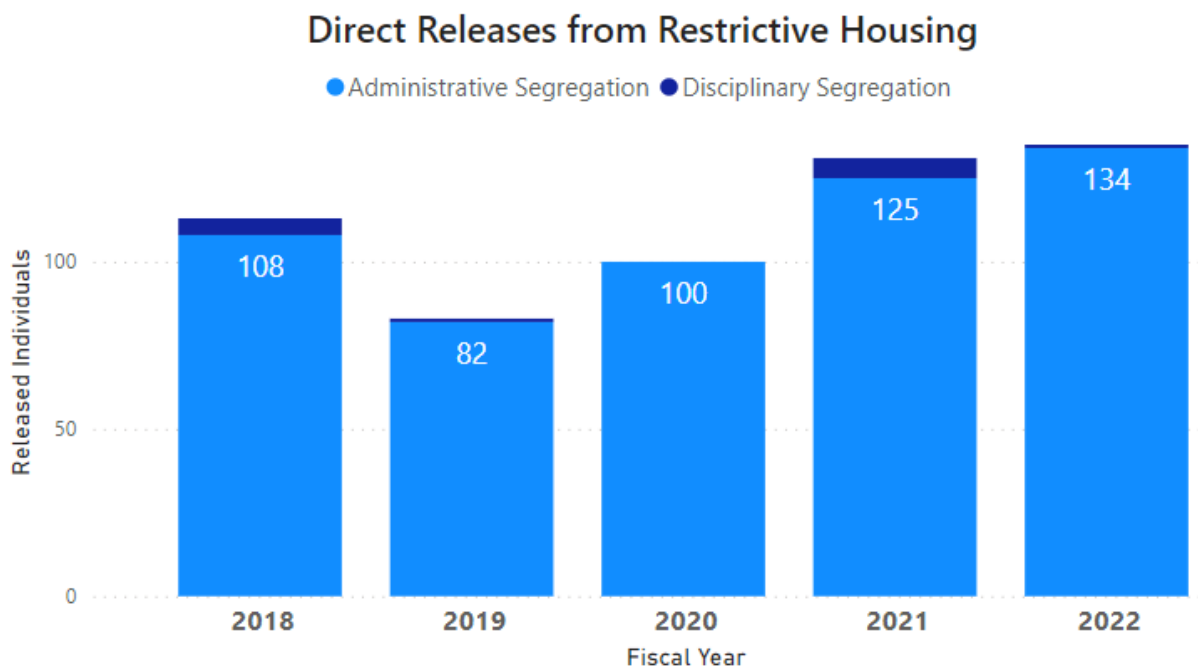
The following chart displays the number of incarcerated persons released directly from restrictive housing in FY 2022 with the average and median length of time, in days. From FY 2021 to FY 2022, releases directly from restrictive housing have remained similar (4 additional in FY 2022), but there has been a significant decrease in the average placement length of individuals released directly to the community. The median placement length of direct releases from administrative segregation fell by 104 days. On average, incarcerated persons spent 32 fewer days on segregation before being released. This is meaningful, as this subset of restrictive housing placements had previously remained widely disparate from the overall 49 day average.

Table 10: Releases While on Restrictive Housing

Housing	Releases	Average Placement	Median Placement
Restrictive Housing	135	59.3	38
Administrative Segregation	134	59.6	39
Disciplinary Segregation	1	20	20

One trend in direct releases has been consistent over the last four years, the predominance of releases from administrative segregation. This trend exists alongside the rise in administrative placement length. The following chart displays the breakdown of incarcerated persons released directly from restrictive housing, most of which (97%) has been from administrative segregation.

Figure 4: Breakdown of Direct Releases 2018-2022



In FY 2022, normal movement for management of security threat groups (STG) was impacted by COVID quarantine and movement policy. Incarcerated person movement is a normal correctional function to manage facility safety and conflicts between incarcerated persons within a population. Transfers between facilities were restricted or lowered for all of the captured period, which can have an impact on the length of time spent on administrative segregation. Both the overall increase in length of placement and the limited ability to transfer prior to release are two significant operational contributors to the increase in direct releases from administrative segregation.

### Restrictive Housing Policy and Procedure

The revisions to the incarcerated person disciplinary process specified in COMAR 12.03.01.24D have had a continued impact on lowering the length of placements, specifically on disciplinary segregation, which have decreased by 51% since 2018. The Department has continued its operation of the Maximum II Structured Housing (MIISH) program at North Branch Correctional Facility and specialized housing unit for incarcerated persons with SMI to address those individuals most likely to engage in continual noncompliant behavior that are still impacted by graduated sanctions even under the revisions of COMAR.

There were no changes in restrictive housing policy in FY 2022, but all facility practices were still impacted by some level of COVID protocols. Compared to FY 2019 and earlier, most of FY 2022 was conducted with facilities in some level of COVID-19 mitigation posture.

## Conclusion

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The COVID-19 pandemic created unique challenges in correctional operations, but the solutions to those challenges stand to benefit all incarcerated persons within the Department's custody. Over the first full year of the pandemic, the Department rapidly developed the infrastructure for maintaining remote visitation and expanded its ability to provide programming remotely. Improvements in staffing and the implementation of remote programming and visitation have both been necessary steps to expanding offerings for the population on restrictive housing.

Improvements in tracking restrictive housing place the Department in a much better position to monitor outcomes of reforms and target re-entry enhancements effectively. As operations during the COVID-19 pandemic begin to stabilize and restrictions on movement are eased, the Department can look toward taking more deliberate steps to pilot time-in-cell reduction in FY 2023, beyond the reductions in restrictive housing placement length that have already been achieved in FY 2022. Enhanced data collection to monitor the outcomes of these efforts will remain a priority.



## Appendix A: Historical Revision of Restrictive Housing Data Processing

In prior reporting years, the Offender Case Management System (OCMS) primary assignment history data was used to process both administrative segregation and disciplinary segregation. Beginning in FY 2020, figures were revised as that method overstated the prevalence of disciplinary segregation. Because of the way primary assignment records are modified when additional segregation is either imposed due to new guilty infractions or reduced due to a warden's decisions, the methodology used in prior annual reports was abandoned after FY 2019. For the FY 2020 report, and all future reporting, disciplinary segregation placement and length were determined by processing an incarcerated person's infraction history data, which is a more accurate method made available by additional data development. Administrative segregation can only be processed using the primary assignment history, and is still drawn from that source for annual reporting, but does not face the same modification issues.

The table below provides core report numbers processed using the new method for the previous fiscal years so that they can be consistently compared. These figures are referenced throughout the report.

Measurement	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Total incarcerated persons Housed During the Fiscal Year	21,835	21,197	22,895	18,516	15,807
Administrative Segregation Placements (Unique incarcerated persons)	3,602	3,613	3,892	3,142	3,718
Disciplinary Placements (Unique individuals)	1,952	2,106	3,037	2,506	3,672
Restrictive Housing (Unique individuals)	3,392	3,402	4,293	3,384	4,074
Administrative Segregation Placements	4,829	4,692	4,878	4,476	5,616
Disciplinary Placements	3,529	3,587	5,281	4,101	6,337
Restrictive Housing- All Placements	8,358	8,279	10,159	8,577	11,953
Restrictive Housing Placement Length (Avg)	58.6	52	45.3	49.2	42.5
Administrative Segregation Placement Length (Avg)	50.9	58.5	49.7	59.6	49.2
Disciplinary Segregation Placement Length (Avg)	72.2	42	40.8	37.6	35.2
Incarcerated Persons Released from Restrictive Housing	113	83	100	131	135
Individuals with Serious Mental Illness (SMI) on Restrictive Housing	97	99	278	346	370